

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

DOUGLAS C. BARTON,	:	
Plaintiff,	:	
v.	:	Case No. 3:14-cv-001
STEVEN L. HURLEY, <i>et al.</i> ,	:	JUDGE WALTER H. RICE
Defendants.	:	

DECISION AND ENTRY ADOPTING UNITED STATES MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATIONS (DOC. #20);
OVERRULING PLAINTIFF'S OBJECTIONS THERETO (DOC. #22);
SUSTAINING DEFENDANTS' MOTION TO DISMISS (DOC. #11);
OVERRULING PLAINTIFF'S MOTION FOR EMERGENCY INJUNCTIVE
RELIEF (DOC. #21); TERMINATION ENTRY


On March 27, 2014, United States Magistrate Judge Sharon L. Ovington issued a Report and Recommendations (Doc. #20), recommending that the Court sustain Defendants' Motion to Dismiss (Doc. #11), and dismiss Plaintiff's Complaint with prejudice. She found that Defendants were entitled to absolute judicial immunity on Plaintiff's claim for money damages, and that the abstention doctrine set forth in *Younger v. Harris*, 401 U.S. 37 (1971), barred Plaintiff's claim for injunctive relief. Plaintiff filed timely Objections to the Report and Recommendations (Doc. #22). He also filed another Motion for Emergency Injunctive Relief (Doc. #23), asserting the same arguments raised in his Objections.

Based on the reasoning and citations of authority set forth by the Magistrate Judge in her March 27, 2014, Report and Recommendations, as well as upon a thorough *de novo* review of this Court's file and the applicable law, this Court ADOPTS said judicial filing (Doc. #20) in its entirety, and OVERRULES Plaintiff's Objections thereto (Doc. #22). In overruling the Objections, the Court notes that "[t]he policies underlying *Younger* are fully applicable to noncriminal judicial proceedings when important state interests are involved." *Middlesex Cnty. Ethics Comm. v. Garden State Bar Ass'n*, 457 U.S. 423, 432 (1982). For the same reasons, the Court OVERRULES Plaintiff's Motion for Emergency Injunctive Relief (Doc. #21). The Court SUSTAINS Defendants' Motion to Dismiss (Doc. #11), and DISMISSES Plaintiff's Complaint WITH PREJUDICE.

Judgment will be entered in favor of Defendants and against Plaintiff.

The captioned case is hereby ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

Date: April 10, 2014



WALTER H. RICE
UNITED STATES DISTRICT JUDGE